

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

KAIFI LLC,

Plaintiff,

v.

T-MOBILE US, INC. and
T-MOBILE USA, INC.,

Defendants.

Case No. 2:20-CV-00281-JRG

Hon. Rodney Gilstrap

DEFENDANTS' NOTICE PURSUANT TO 35 U.S.C. § 282

Pursuant to 35 U.S.C. § 282(c), Defendants T-Mobile US, Inc. and T-Mobile USA, Inc. (collectively, “T-Mobile”) provide notice (the “Section 282 Notice”) to Plaintiff KAIFI LLC of patents, publications, other prior art, and witnesses upon which T-Mobile may rely to establish the invalidity and the state of the art as to U.S. Patent No. 6,922,728 (“the ’728 patent”).

T-Mobile has already provided the requisite notice through the pleadings and documents filed or served over the course of this litigation, including but not limited to its answer to the complaint, initial disclosures, invalidity contentions, expert reports, discovery responses, fact and expert depositions, trial exhibit lists, trial witness lists, and all documents cited or relied upon therein (collectively, the “Prior Notice”). These pleadings and documents comprising the Prior Notice include the information that Section 282 requires with respect to the patents, publications, other prior art, and witnesses upon which T-Mobile intends to rely to establish the invalidity and the state of the art as to the asserted claims of the ’728 patent. T-Mobile therefore incorporates by reference that Prior Notice into this Section 282 Notice as if fully set forth herein. For the same reason, T-Mobile incorporates by reference into this Section 282 Notice all prior art cited or

otherwise contained in the prosecution records of the applications that issued as the '728 patent, as well as any related applications that were filed in the United States or world. T-Mobile additionally reserves the right to rely on any testimony or admissions of the named inventor of the '728 patent or any experts engaged (past or present) by KAIFI regarding the state of the art as to the asserted claims of the '728 patent.

In addition, T-Mobile identifies the following patents, publications, other prior art, and trial witnesses who may testify in connection with T-Mobile's contentions as to invalidity of the '728 patent.

I. PATENTS, PATENT APPLICATIONS, AND OTHER PRIOR ART

A. Patents, Patent Publications, and Patent Applications

Country	Patent / Publication / Application No.	Date Filed / Published / Issued	Name of Patentee / Applicant
United States	U.S. Patent No. 6,243,581	December 11, 1998	Jawanda
United States	U.S. Patent No. 6,909,705	November 2, 2000	Lee et al.
United States	U.S. Patent No. 6,922,559	February 26, 2001	Mohammed
United States	U.S. Patent No. 6,922,728	December 18, 2001	Cho
United States	U.S. Patent No. 7,039,027	March 19, 2001 / December 28, 2000	Bridgelall
United States	U.S. Patent No. 7,120,129	March 13, 2001	Ayyagari et al.
United States	U.S. Patent No. 8,019,335	January 29, 2001	Kallio
United States	Prov. Appl. No. 60/258,669	December 28, 2000	Bridgelall
United States	Prov. Appl. No. 60/277,020	March 19, 2001	Bridgelall
United States	Prov. Appl. No. 60/271,766	February 26, 2001	Mohammed
United States	Prov. Appl. No. 60/271,767	February 26, 2001	Mohammed
United States	Prov. Appl. No. 60/271,768	February 26, 2001	Mohammed
United States	Prov. Appl. No. 60/271,769	February 26, 2001	Mohammed

B. Other Prior Art

System, Publication, or Other Document	Bates Beg	Bates End
Prosecution History of U.S. Patent No. 6,922,728 (and references cited therein)	KAIFI_0007016	KAIFI_0007164
3GPP TS 23.002 V5.2.0 (Apr. 2001)	TMOBILE_KAIFI_00171439	TMOBILE_KAIFI_00171487

System, Publication, or Other Document	Bates Beg	Bates End
3GPP TS 23.060 V3.6.0 (Jan. 2001)	TMOBILE_KAIFI_0017 1488	TMOBILE_KAIFI_00171 670
3GPP TS 23.121 V3.5.1 (Dec. 2000)	TMOBILE_KAIFI_0017 1199	TMOBILE_KAIFI_00171 255
3GPP TS 23.121 V3.6.0 (June 2002)	TMOBILE_KAIFI_0017 1382	TMOBILE_KAIFI_00171 438
3GPP TS 23.221 V4.0.0 (Apr. 2001)	TMOBILE_KAIFI_0017 1171	TMOBILE_KAIFI_00171 198
3GPP TS 23.228 V1.7.0 (Feb. 2001)	TMOBILE_KAIFI_0017 1040	TMOBILE_KAIFI_00171 170
3GPP TS 23.228 V2.0.0 (Mar. 2001), Vols. 1 and 2	TMOBILE_KAIFI_0003 7704	TMOBILE_KAIFI_00037 830
3GPP TS 23.228 V5.0.0 (Apr. 2001)	TMOBILE_KAIFI_0017 1256	TMOBILE_KAIFI_00171 381
3GPP TR 23.922 V1.0.0 (Oct. 1999)	TMOBILE_KAIFI_0003 7923	TMOBILE_KAIFI_00037 986
3GPP TS 29.061 V3.4.0 (Sept. 2000)	TMOBILE_KAIFI_0040 1763	TMOBILE_KAIFI_00401 794
An Introduction to Wireless Technology (IBM 1995)	TMOBILE_KAIFI_0017 2725	TMOBILE_KAIFI_00172 932
Specification of The Bluetooth System – Core, v. 1.0 (Dec. 1999)	TMOBILE_KAIFI_0004 0217	TMOBILE_KAIFI_00041 298
Specification of the Bluetooth System – Profiles, v. 2.0 (Dec. 1999)	TMOBILE_KAIFI_0003 9777	TMOBILE_KAIFI_00040 216
Brenner, “A Technical Tutorial on the IEEE 802.11 Protocol” (1997)	TMOBILE_KAIFI_0017 1671	TMOBILE_KAIFI_00171 694
Dahlman et al., 4G: LTE/LTE-Advanced for Mobile Broadband (2014)	TMOBILE_KAIFI_0017 1695	TMOBILE_KAIFI_00172 203
IEEE 802.11-1999	TMOBILE_KAIFI_0003 7176	TMOBILE_KAIFI_00037 703
IEEE 802.11b-1999	TMOBILE_KAIFI_0003 8757	TMOBILE_KAIFI_00038 852
IETF RFC 2002 – “IP Mobility Support” (1996)	TMOBILE_KAIFI_0040 7967	TMOBILE_KAIFI_00408 045
IETF RFC 791 – “Internet Protocol, DARPA Internet Program Protocol Specification” (1981)	TMOBILE_KAIFI_0017 4296	TMOBILE_KAIFI_00174 346
IETF RFC 826 – “An Ethernet Address Resolution Protocol” (1982)	TMOBILE_KAIFI_0017 4347	TMOBILE_KAIFI_00174 356
Nikolaou et al., <i>Wireless Technologies Convergence: Results</i>	TMOBILE_KAIFI_0041 1583	TMOBILE_KAIFI_00411 588

System, Publication, or Other Document	Bates Beg	Bates End
<i>and Experience</i> (IEEE 2000) (“Nikolaou”)		
Pahlavan et al., “Handoff in Hybrid Mobile Data Networks” (IEEE 2000) (“Pahlavan”)	TMOBILE_KAIFI_00042814	TMOBILE_KAIFI_00042827
Pichna et al., “IMT-2000 Wireless LAN Interworking,” Journal of Communications and Networks (2000)	TMOBILE_KAIFI_00042838	TMOBILE_KAIFI_00042849
Salberg, “WLAN – GPRS Interworking” (2001)	TMOBILE_KAIFI_00043035	TMOBILE_KAIFI_00043085
Sesia et al., LTE – The UMTS Long Term Evolution, From Theory to Practice (2011)	TMOBILE_KAIFI_00173267	TMOBILE_KAIFI_00174060
Steele et al., GSM, CDMAONE AND 3G SYSTEMS (2001)	TMOBILE_KAIFI_00172204	TMOBILE_KAIFI_00172724
Tanenbaum, COMPUTER NETWORKS (4th ed. 2003)	TMOBILE_KAIFI_00410087	TMOBILE_KAIFI_00410090
Taylor et al., INTERNETWORK MOBILITY – THE CDPD APPROACH (1996)	TMOBILE_KAIFI_00172933	TMOBILE_KAIFI_00173266
Wisely et al., IP FOR 3G—NETWORKING TECHNOLOGIES FOR MOBILE COMMUNICATIONS (2002)	TMOBILE_KAIFI_00174061	TMOBILE_KAIFI_00174295

II. Persons To Be Identified Under 35 U.S.C. § 282(c)

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T-Mobile reserves the right to supplement or to modify this Section 282 Notice through and including the time of trial.

DATE: November 5, 2021

Respectfully submitted,

GIBSON, DUNN & CRUTCHER LLP

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this notice was served on all counsel who have consented to electronic service, per Local Rule CV-5(a)(3)(A), on November 5, 2021.

/s/ Melissa R. Smith

Melissa R. Smith